

IOWA FINANCE AUTHORITY[265]

Adopted and Filed Emergency

Pursuant to the authority of Iowa Code section 17A.3(1)“b” and Iowa Code Supplement sections 16.5(1)“r” and 16.40, the Iowa Finance Authority hereby amends Chapter 29, “Jump-Start Housing Assistance Program,” Iowa Administrative Code.

The purpose of these amendments is to modify and clarify certain provisions of the program of housing assistance for persons affected by the natural disasters that occurred in Iowa in 2008.

The Authority does not intend to grant waivers under the provisions of any of these rules, other than as may be allowed under the Authority’s general rules concerning waivers.

Pursuant to Iowa Code section 17A.4(2), the Authority finds that notice and public participation are impracticable and contrary to the public interest in that assistance to the victims of the natural disasters is needed immediately, and the normal notice and public participation process would delay implementation of the program.

The Authority finds that these amendments confer a benefit on the persons affected, persons adversely affected by the natural disasters, in that the amendments ease and speed the administration of an important program benefiting those persons and should be implemented as soon as feasible in order to facilitate the provision of assistance under the program and to avoid confusion. Therefore, these amendments are filed pursuant to Iowa Code section 17A.5(2)“b”(2), and the normal effective date of these amendments is waived.

The Authority adopted these amendments on October 1, 2008.

These amendments became effective October 1, 2008.

These amendments are intended to implement Iowa Code Supplement sections 16.5(1)“r” and 16.40. The following amendments are adopted.

ITEM 1. Amend subrule 29.3(5) as follows:

29.3(5) Administrative fees. Each local government participant shall be entitled to receive an administrative fee ~~in an amount not to exceed 5 percent of the funds loaned by such local government participant to eligible residents. A local government participant shall be entitled to an administrative fee only to the extent it makes forgivable loans.~~ equal to 5 percent of its initial disbursement, which shall consist of 30 percent of the local government participant’s initial allocation. Subsequent thereto, each local government participant shall receive 5 percent of the funds loaned by the local government participant to eligible residents under the program from subsequent disbursements. The administrative fee shall be paid from the allocation made to each such local government participant by the authority pursuant to subrule 29.3(1).

ITEM 2. Amend subrule 29.5(2) as follows:

29.5(2) Interim mortgage assistance loans. An eligible resident whose disaster-affected home is proposed, or is located in an area proposed, by a municipality or county to the Iowa homeland security and emergency management division for property acquisition under the hazard mitigation grant program set forth in Iowa Code chapter 29C (or any other comparable program implemented in whole or in part to assist in recovery from the natural disasters of 2008) may receive financial assistance equivalent to an amount of up to \$1,000 per month for the purpose of paying mortgage payments and other eligible property-carrying costs for the disaster-affected home for a period not to exceed 12 months. An eligible resident who receives assistance pursuant to this subrule shall not be eligible for assistance under paragraph 29.5(1)“a.” If, however, it subsequently is determined by the Iowa homeland security and emergency management division that the disaster-affected home of the eligible resident will not be acquired under the hazard mitigation grant program, then the eligible resident shall be eligible for assistance under paragraph 29.5(1)“a” on the condition that the amount of assistance available under that paragraph shall be reduced by the amount of assistance received by the eligible resident under subrule 29.5(2). Financial assistance provided pursuant to this subrule shall ~~not~~ be in the form of a

~~forgivable loan, but rather in the form of a nonforgivable loan secured by a retention agreement. The nonforgivable loan shall be payable in full upon the acquisition of the disaster affected home pursuant to the hazard mitigation grant program or sale of the disaster affected home by the eligible resident.~~

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